

LEGISLATURE OF NEBRASKA

NINETY-NINTH LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1176**

Introduced by Urban Affairs Committee: Friend, 10, Chairperson;  
Combs, 32; Connealy, 16; Cornett, 45; Janssen, 15;  
Landis, 46; Schimek, 27

Read first time January 18, 2006

Committee: Urban Affairs

A BILL

- 1 FOR AN ACT relating to the Mutual Finance Assistance Act; to amend
- 2 section 35-1205, Reissue Revised Statutes of Nebraska; to
- 3 change provisions relating to the computation of assumed
- 4 population; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 35-1205, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           35-1205 (1) Any rural or suburban fire protection  
4 district which contains within its boundaries (a) an assumed  
5 population of thirty thousand or more or (b) at least eighty  
6 percent of the assumed population of any one county which is  
7 contained in whole or in part within the district residing outside  
8 the city limits of any city of the first, primary, or metropolitan  
9 class in such county shall receive a distribution from the Mutual  
10 Finance Assistance Fund pursuant to section 35-1206.

11           (2) Any mutual finance organization which (a) has entered  
12 into an agreement pursuant to section 35-1204 and (b) contains  
13 within the boundaries of its members (i) an assumed population of  
14 thirty thousand or more or (ii) at least eighty percent of the  
15 assumed county population of any one county which is contained in  
16 whole or in part within the mutual finance organization residing  
17 outside the city limits of any city of the first, primary, or  
18 metropolitan class in such county shall receive a distribution from  
19 the fund pursuant to section 35-1206.

20           (3) For purposes of this section:

21           (a) The assumed population residing within the boundaries  
22 of a rural or suburban fire protection district or mutual  
23 finance organization equals (i) the estimated county population  
24 as determined based on the most recent estimates of the United  
25 States Bureau of the Census for counties, minus (ii) the estimated

1 population of all cities and villages in the county as certified  
2 pursuant to section 77-3,119, multiplied by (iii) a fraction, the  
3 numerator of which is two times the valuation within the rural or  
4 suburban fire protection district or mutual finance organization  
5 which is not within a city or village and the denominator of which  
6 is the valuation in the county which is not contained within a city  
7 of the first, primary, or metropolitan class, and added to (iv) the  
8 most recent estimated population of all cities of the second class  
9 and villages in the fire protection district or mutual finance  
10 organization as certified pursuant to section 77-3,119;

11 (b) The assumed county population residing outside the  
12 city limits of any city of the first, primary, or metropolitan  
13 class equals (i) the most recent estimated county population as  
14 determined based on the most recent estimates of the United States  
15 Bureau of the Census for counties minus (ii) the most recent  
16 estimated population of all cities of the first, primary, or  
17 metropolitan class in the county as certified pursuant to section  
18 77-3,119;

19 (c) If a city or village is located in more than one  
20 county, the population of the city or village which resides in the  
21 county is presumed to be in proportion to the valuation of such  
22 city or village which is located in the county; and

23 (d) If the district or mutual finance organization is  
24 located in more than one county and the district or mutual finance  
25 organization meets the threshold in subsection (1) or (2) of

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1   this section in only one county, the district or mutual finance  
2   organization shall qualify for assistance under this section.

3               Sec. 2. Original section 35-1205, Reissue Revised  
4   Statutes of Nebraska, is repealed.